



**U.S. Department of Justice**

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August 23, 2012

Patrick Blegen  
Blegen and Garvey  
53 W. Jackson Blvd., Suite 1437  
Chicago, IL 60604

Re: ***United States v. Antonio Evans, No. 10 CR 747-3***

Dear Mr. Blegen:

Your letter dated August 23, 2012, requested: (1) any and all network engineers with whom Agent Raschke is or has been in regular contact with regarding cell site analysis; and (2) any and all documentation regarding the success or failure of Agent Raschke's method in previous cases, or in other cases in which other agents have used the same method. Both of your requests are vague and overbroad.

With respect to your request (1), please provide authority to support your position that such material is discoverable in this context. With respect to request (2), the government does not agree that Agent Raschke said that he has a success rate of 100%, only that he was not aware of any failures of his methodology. As Agent Raschke testified, the FBI has a number of different agents from across the country that have applied these techniques on many occasions, and providing detail of each and every success is unreasonable. Finally, it is not clear what you mean by a failure of this method in previous cases. Please define what a failure would be and I will determine whether we can and will respond.

Very truly yours,

GARY S. SHAPIRO  
United States Attorney

By:

  
Jason A. Yonan  
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EXHIBIT B